

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

FILED  
U.S. DISTRICT COURT - DISTRICT OF NEW MEXICO  
MAR 3 2008

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CLERK-SANTA FE

STATE OF NEW MEXICO, *ex rel.*  
State Engineer

Plaintiff,

vs.

ROMAN ARAGON, *et al.*,

Defendants.

69cv07941-BB

RIO CHAMA STREAM SYSTEM

Section 3 and 7

**CLERK'S CERTIFICATE OF DEFAULT**

I, Matthew J. Dykman, Clerk of the United States District Court, District of New Mexico, certify that the above-entitled cause was filed in the United States District Court at Albuquerque, State of New Mexico, and the records of my office indicate that service of process commanding the following defendants to appear and defend in this cause was made as follows:

<u>Defendant</u>	<u>Subfile No.</u>	<u>Proof of Service Filed</u>
Martin Romero	CHTA-004-0001D	October 31, 2007 (Docket No. 8979)

I further certify, that the records of my office indicate the following defendant waived service of summons in this proceedings as follows:

<u>Defendant</u>	<u>Subfile No.</u>	<u>Waiver of Service of Summons Filed</u>
Jacob D. Montañño	CHCJ-003-0033A	Party substituted for defendants Evaristo C. Montañño and Hortance Montañño by Order filed October 9, 2007 (Docket No. 8945); original waivers of service of summons filed January 29, 2001 (Docket No. 6140)

Lawrence G. Montañó	CHCJ003-0033A CHCJ-003-0033C	Party substituted for defendants Evaristo C. Montañó and Hortance Montañó by Order filed October 9, 2007 (Docket No. 8945); original waivers of service of summons filed January 29, 2001 (Docket No. 6140)
Robert M. Montañó	CHCJ003-0033A CHCJ-003-0033D	Party substituted for defendants Evaristo C. Montañó and Hortance Montañó by Order filed October 9, 2007 (Docket No. 8945); original waivers of service of summons filed January 29, 2001 (Docket No. 6140)
Ortance Garcia	CHCJ003-0033A CHCJ-003-0033E	Party substituted for defendants Evaristo C. Montañó and Hortance Montañó by Order filed October 9, 2007 (Docket No. 8945); original waivers of service of summons filed January 29, 2001 (Docket No. 6140)
Isidoro Manzanares	CHTA-005-0005	February 19, 2002 (Docket No. 6537)
Andrews Living Trust	CHRB-004-0048	April 9, 2002 (Docket No. 6603)

I further certify that the above-named defendants have failed to appear, answer, or otherwise  
file a responsive pleading in the cause.

WHEREFORE, I certify that the above-named defendants are in default.

DATED this 3<sup>rd</sup> day of March, 2008.

MATTHEW J. DYKMAN  
DISTRICT COURT CLERK

By: Maryam Richardson

Deputy Clerk

